



Atty. Dkt. No. 065691-0381

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Philippe MSIKA et al.

Title: USE OF ISOFLAVONES FOR PREPARING TOPICAL COMPOSITIONS FOR PROMOTING SLIMMING, AND RELATED COSMETIC TREATMENT METHOD

Appl. No.: 10/519,096

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Examiner: Nissa M. WESTERBERG

Art Unit: 1609

Confirmation Number: 9007

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the restriction/election requirement issued July 18, 2007, the PTO requested the election of one of the following groups of claims:

Group I, claims 20-31, drawn to treatment methods involving a composition for promoting slimming and refining the silhouette.

Group II, claims 32-33, drawn to composition of isoflavones and extract of *Sophora japonica* flowers.

Furthermore, should Group I be elected, the PTO requested Applicants to elect a single species of a particular formulation of the composition used in the treatment method.

In response, Applicants elect Group I, claims 20-31 for prosecution on the merits, with traverse, because the evidence and explanation fail to establish the lack of novelty of an

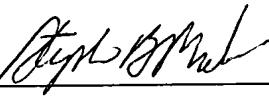
embodiment of the invention. In response to the election of species requirement, Applicants elect with traverse, as a single species a formulation comprising isoflavone in a glycone or glycosylated form; extract of *Sophora japonica*; extract of *Centella asiatica*; and extract of *Entomorpha compressa*. Applicants identify claims 20-31. The elected formulation corresponds to Examples 1-2 and 5-9. Should more ingredients be required for the election, then use Example 1's composition.

Applicants reserve a right to address any rejection based on Gorbach, US 6,060,070, should a rejection actually be made during prosecution.

Applicants believe that no fee is associated with this response. If Applicants' understanding is incorrect, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date Aug. 15, 2007

By 

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